

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
DETROIT DIVISION**

PLAINTIFF'S COMPLAINT AND DEMAND FOR JURY TRIAL

CASSANDRA MONTGOMERY (“Plaintiff”), through her attorneys, KROHN & MOSS, LTD., alleges the following against NORTHSTAR LOCATION SERVICES, LLC (“Defendant”):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

4. Since Defendant conducts business in the state of Michigan, personal jurisdiction is established.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

6. Plaintiff is a natural person residing in Ypsilante, Washtenaw County, Michigan, and is obligated or allegedly obligated to pay a debt and is a “consumer” as that term is defined by 15 U.S.C. 1692a(3).

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a corporation with an office in Cheektowaga, New York.

9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. In or around March 23, 2011, Defendant began contacting Plaintiff seeking and demanding payment for an alleged debt.

11. Since in or around January of 2011, another debt collector, Weltman, Weinberg and Reis (“Weltman”), has also been making attempts to collect on this alleged debt.

12. Soon thereafter, Plaintiff took part in a three-way conference call with herself, a representative of Weltman, and a representative from Defendant named Jason. During the call, the parties attempted to resolve who would be collecting on the debt, and Jason assured Plaintiff that she would receive no more calls from Defendant in connection with this alleged debt.

13. Plaintiff has informed Defendant’s representatives on numerous occasions that calls are to stop and that Plaintiff is disputing the debt as claimed by Defendant.

14. Despite the forgoing, Defendant continued to place calls to Plaintiff on a daily basis, in attempts to collect on this alleged debt.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

15. Defendant violated the FDCPA based on the following:
 - a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse; and
 - b. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with the intent to annoy, abuse, or harass any person called at that number.

WHEREFORE, Plaintiff, CASSANDRA MONTGOMERY, respectfully requests judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC, for the following:

16. Statutory damages of \$1,000.00, pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*;
17. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*; and
18. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By:/s/ Adam T. Hill
Adam T. Hill
Krohn & Moss, Ltd.
120 W. Madison St. - 10th Floor
Chicago, IL 60602
(312) 578-9428 ext. 242
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DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, CASSANDRA MONTGOMERY, hereby demands a jury trial in this case.

VERIFICATION OF COMPLAINT AND CERTIFICATION

(STATE OF MICHIGAN

COUNTY OF WASHTENAW)

Plaintiff, CASSANDRA MONTGOMERY, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, CASSANDRA MONTGOMERY, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

June 9, 2011
Date

Cassandra Montgomery
CASSANDRA MONTGOMERY